

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUMBERTO F. FLORES SERNA,

Defendant.

NO. 3:21-mj-05146

COMPLAINT FOR VIOLATION

Title 18, United States Code,
Section 922(g)(5)

Before Theresa L. Fricke, United States Magistrate Judge, U.S. Courthouse,
Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

Prohibited Person in Possession of a Firearm

On or about June 30, 2021, at Puyallup, Washington, in the Western District of Washington, HUMBERTO F. FLORES SERNA, knowing that he was an alien illegally or unlawfully in the United States, did knowingly possess in and affecting interstate and foreign commerce ammunition and a firearm, to wit: a Colt Gold Cup Trophy Model pistol bearing serial number GCT47864, which had been shipped and transported in interstate and foreign commerce.

1 All in violation of Title 18, United States Code, Section 922(g)(5).

2
3 And the complainant states that this Complaint is based on the following
4 information:

5 I, SHAWNA MCCANN, being first duly sworn on oath, depose and say:

6 **I. INTRODUCTION AND AGENT BACKGROUND**

7 1. I am employed as a Special Agent (SA) with the Federal Bureau of
8 Investigation (FBI) and have been employed with the FBI since September 2017. I am
9 currently assigned to the Seattle Field Division where I am a member of the violent
10 crime, gang, and Transnational Organized Crime – Western Hemisphere squad. In this
11 capacity, I investigate, inter alia, violations of the Controlled Substance Act, Title 21,
12 United States Code, Section 801 et seq., and related offenses. I have received specialized
13 training in the enforcement and investigation of the Controlled Substance Act. I have
14 received over 400 hours of classroom training including, but not limited to, drug
15 identification, drug interdiction, money laundering techniques and schemes, smuggling,
16 and the investigation of individuals and/or organizations involved in the illegal
17 possession, possession for sale, sales, importation, smuggling, manufacturing, and
18 trafficking of controlled substances.

19 2. In my role as a Special Agent for the FBI, I have participated in narcotics
20 investigations (e.g., heroin, cocaine, marijuana, and methamphetamine) that have resulted
21 in the arrest of individuals and the seizure of illicit narcotics and/or narcotics-related
22 evidence and the forfeiture of narcotics-related assets. I have been involved in the service
23 of federal and state search warrants as part of these investigations. I have encountered
24 and have become familiar with various tools, methods, trends, paraphernalia, and related
25 articles utilized by various traffickers in their efforts to import, export, conceal, and
26 distribute controlled substances. I am also familiar with the manner in which drug
27 traffickers use telephones, often cellular telephones, to conduct their unlawful operations,
28 and how they code their conversations to disguise their unlawful activities. I am also

1 familiar with the various methods of packaging, delivering, transferring, and laundering
2 drug proceeds. Additionally, through my training and experience, I can identify illegal
3 drugs by sight, odor, and texture.

4 3. I have also worked on drug investigations involving the use of court-
5 authorized wiretaps under Title III. In that capacity, I have had the opportunity to
6 monitor, listen to, and review transcripts and line sheets (prepared by linguists)
7 documenting the content of hundreds of intercepted conversations involving the
8 trafficking of cocaine, methamphetamine, heroin, and other narcotics, by persons who
9 used some form of code to attempt to thwart law enforcement detection. I have also
10 interviewed defendants at the time of their arrest and have debriefed, spoken with, and/or
11 interviewed numerous drug dealers or confidential sources (informants) at proffer and
12 field interviews who were experienced in speaking in coded conversation over the
13 telephone. From these interviews, and also from discussions with other experienced
14 agents, I have gained knowledge regarding the various methods, techniques, codes,
15 and/or jargon used by drug traffickers in the course of their criminal activities, including
16 their use of firearms to protect their narcotics-related activities and of cellular telephones
17 and other electronic means to facilitate communications while avoiding law enforcement
18 scrutiny.

19 4. I have written affidavits in support of court-authorized federal warrants and
20 orders in the Western District of Washington for GPS tracking of telephones, Pen
21 Register/Trap and Trace, and search warrants. Additionally, I have testified in grand jury
22 proceedings, written investigative reports, and conducted and participated in numerous
23 interviews of drug traffickers of various roles within drug organizations, which has
24 provided me with a greater understanding of the methods by which drug trafficking
25 organizations operate.

26 5. I am an investigative law enforcement officer of the United States within
27 the meaning of 18 U.S.C. § 2510(7). As such, I am empowered to conduct investigations
28

1 of, and to make arrests for, violations of the Controlled Substance Act, Title 21, United
2 States Code, Section 801 *et seq.*, and related offenses.

3 6. The facts set forth in this Affidavit are based on my own personal
4 knowledge; knowledge obtained from other individuals during my participation in this
5 investigation, including other law enforcement personnel; review of documents and
6 records related to this investigation; communications with others who have personal
7 knowledge of the events and circumstances described herein; and information gained
8 through my training and experience. Because this Affidavit is submitted for the limited
9 purpose of establishing probable cause to believe that Defendant committed the crime set
10 forth herein, this document does not contain all of my knowledge of the larger
11 investigation.

12 **II. PURPOSE OF AFFIDAVIT**

13 7. This Affidavit is made in support of a Complaint against HUMBERTO F.
14 FLORES SERNA for one count of *Prohibited Person in Possession of a Firearm*, in
15 violation of Title 18, United States Code, Sections 922(g)(5).

16 **III. SUMMARY OF PROBABLE CAUSE**

17 8. I, together with other agents and officers of the FBI, the Seattle Police
18 Department (SPD), and other agencies have been conducting an investigation of a large
19 Drug Trafficking Organization (DTO) which was believed to be distributing significant
20 amounts of cocaine, crack cocaine, marijuana, and other controlled substances in the
21 Western District of Washington.

22 9. On June 28, 2021, I applied for and obtained authorization to search a
23 number of locations, vehicles, and individuals based on this investigation. Two of these
24 warrants authorized the search of 1003 7th Avenue Southeast, #A, Puyallup, Washington,
25 and the person of HUMBERTO F. FLORES SERNA, a resident at that location.

26 10. On June 30, 2021, law enforcement personnel executed these warrants,
27 including at 1003 7th Avenue Southeast, #A, Puyallup, Washington. At the beginning of
28 the warrant execution, investigators knocked and announced their presence. This

1 announcement was repeated with the use of an amplifier, and marked patrol cars on the
2 scene activated their lights and sirens.

3 11. After waiting a reasonable time, investigators forced entry into the
4 residence and began to clear it. One officer stood near the front door at the bottom of a
5 staircase to the upper floors while other investigators checked the main floor for other
6 occupants. As they did so, the investigators repeatedly announced themselves as police.

7 12. As investigators were completing clearing the first floor and preparing to
8 go up to the second floor, HUMBERTO F. FLORES SERNA began to come down the
9 stairs from the second floor. The officer standing at the bottom of the stairs observed that
10 HUMBERTO F. FLORES SERNA had what appeared to be a handgun in each hand.
11 That officer fired at HUMBERTO F. FLORES SERNA, hitting him in one of his legs.
12 HUMBERTO F. FLORES SERNA fell backwards, dropping the two items in his hands.
13 Officers promptly rendered aid to HUMBERTO F. FLORES SERNA and arranged for
14 him to be transported to a local hospital for medical attention.

15 13. After the scene was cleared, investigators more closely observed the two
16 apparent firearms. One was a black pellet gun that otherwise appeared to be a real
17 firearm. The second was a firearm pursuant to federal law; it was a Colt Gold Cup
18 Trophy Model pistol bearing serial number GCT47864. This firearm did not have a
19 magazine inserted.

20 14. ATF Special Agent Catherine Cole, a recognized expert in the manufacture
21 of firearms, has examined the Colt pistol. According to SA Cole, the Colt pistol meets the
22 federal definition of a firearm, and it was not manufactured in the State of Washington.
23 Therefore, because the pistol was recovered in this District, it was necessarily shipped or
24 transported in interstate or foreign commerce.

25 15. The remainder of the residence was searched pursuant to the warrant.
26 Investigators located a gun case for the Colt pistol along with two magazines in the closet
27 in the main bedroom. In the same bedroom, investigators located HUMBERTO F.
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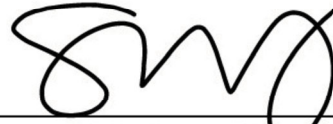
1 FLORES SERNA's wallet on a nightstand along with two cell phones; a third cell phone
2 was on the other nightstand on the other side of the bed.

3 16. In the laundry room, investigators found a small box containing
4 approximately one ounce of suspected cocaine, a scale, a spoon, and packaging material.

5 17. I had previously requested records from the Department of Homeland
6 Security regarding HUMBERTO F. FLORES SERNA's status in this country. DHS
7 provided records documenting that HUMBERTO F. FLORES SERNA is not legally in
8 the United States.

9 **IV. CONCLUSION**

10 18. Based on the above facts, I respectfully submit that there is probable cause
11 to believe that HUMBERTO F. FLORES SERNA did knowingly and intentionally
12 commit the crime of *Prohibited Person in Possession of a Firearm*, in violation of Title
13 18, United States Code, Sections 922(g)(5).

14 

15
16 Shawna McCann, Complainant
17 Special Agent, FBI

18 Based on the Complaint and Affidavit, to which the above-named agent provided
19 a sworn statement attesting to the truth of the contents of such, the Court hereby finds
20 that there is probable cause to believe the Defendant committed the offense set forth in
21 the Complaint.

22
23 Dated this 30th day of June, 2021.

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26
27 The Honorable Theresa L. Fricke
28 United States Magistrate Judge